

PROCEDURES FOR EXEMPT DEVELOPMENT

1. Exempt Development

Exempt Development is development that does not require a Building and Land Use Permit.

2. The following categories of development are exempt from the requirement of a Building and Land Use Permit:

(i) Small Scale Enterprises and Home working **as defined in the Planning Policy Guidance issued by the Ministry of Housing and Lands provided** that the answers to all the following questions are **NO**:

- (a) Will the home no longer be used mainly as a private residence?
- (b) Will the enterprise result in a marked rise in traffic or people calling?
- (c) Will the enterprise involve any activities unusual in a residential area?
- (d) Will the enterprise disturb your neighbours at unreasonable hours or create other forms of nuisance such as noise, dust, fumes or smell?

(ii) As per Section 121(2) of the Local Government Act 2011, a proposed change in economic activity within a cluster, no fresh Building and Land Use Permit shall, subject to the Eleventh Schedule, be required.

The law states that the change of economic activities should not result in the following conditions, otherwise a fresh Building and Land Use Permit will have to be obtained:

- (a) direct or indirect dangerous or congested traffic conditions on any nearby street or road;
- (b) adverse external nuisance such as noise, dusts, smell, fumes, soot, ash, vibration or any other similar nuisance;
- (c) loading and unloading causing disruption to the amenity of the surrounding;
- (d) inadequate parking onsite for staff and visitors; or
- (e) unsafe storage of materials

3. Obligations on those carrying out an exempt development:

- (i) A Business Registration Card will have to be obtained from the Registrar of Businesses.
- (ii) Trade fees will have to be paid to the Local Authority within 15 days as from the start of the economic activity
- (iii) The economic operator, shall, before starting his activity or at all time during the course of carrying on his activity comply with such guidelines as may be issued by the Fire Services, Sanitary Authority and the Ministry responsible for the subject of environment
- (vi) No intensification of activity would be allowed.

4. For an exempt development the procedures should be simple and the economic operator should be able to pay the Trade Fees on the same day he calls in at the Local Authority provided that the information requested has been submitted.

5. The process starts at the Planning Department where the economic operator provides basic information and a sketch location plan.

6. Once the officer of the Planning Department is satisfied that the economic activity is exempted from a Building and Land Use Permit, the form with the documents submitted is referred to the Public Health Department which only accepts the payment of the Trade Fees without any further formality. A copy of the form is kept at the Planning Department

REQUEST FOR EXEMPT DEVELOPMENT

Ref. No:

Date:

PART A: To be filled in by economic operator

(NOTE: Business Registration Card should be produced)

1. Name: (Please submit copy of ID Card)
2. Postal Address:
3. Phone No:
4. Proposed economic activity/Change in economic activity within same cluster (please submit copy of receipt of trade fees, if applicable):
.....
5. (i) Location:
- (ii) Sketch location plan:
6. State whether owner of site

YES	NO
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(If no please submit written consent of owner with copy of ID Card)
7. Present use of site:

Signature of economic operator:

PART B – To be filled in by Planning Department

	Home/ Industry/Office	Change in economic activity																								
1	<ul style="list-style-type: none"> Will the home no longer be used mainly as a private residence? Will the enterprise result in a marked rise in traffic or people calling? Will the enterprise involve any activities unusual in a residential area? Will the enterprise disturb neighbours at unreasonable hours or create other forms of nuisance such as noise, dust, fumes or smell? <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th style="width: 50px;">YES</th> <th style="width: 50px;">NO</th> </tr> </thead> <tbody> <tr><td style="height: 20px;"></td><td style="height: 20px;"></td></tr> <tr><td style="height: 20px;"></td><td style="height: 20px;"></td></tr> <tr><td style="height: 20px;"></td><td style="height: 20px;"></td></tr> <tr><td style="height: 20px;"></td><td style="height: 20px;"></td></tr> </tbody> </table>	YES	NO									<ul style="list-style-type: none"> Direct or indirect dangerous or congested traffic conditions on any nearby street or road; Adverse external nuisance such as noise, dusts, smell, fumes, soot, ash, vibration or any other similar nuisance; Loading and unloading causing disruption to the amenity of the surrounding; Inadequate parking onsite for staff and visitors; or Unsafe storage of materials <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th style="width: 50px;">YES</th> <th style="width: 50px;">NO</th> </tr> </thead> <tbody> <tr><td style="height: 20px;"></td><td style="height: 20px;"></td></tr> <tr><td style="height: 20px;"></td><td style="height: 20px;"></td></tr> <tr><td style="height: 20px;"></td><td style="height: 20px;"></td></tr> <tr><td style="height: 20px;"></td><td style="height: 20px;"></td></tr> <tr><td style="height: 20px;"></td><td style="height: 20px;"></td></tr> <tr><td style="height: 20px;"></td><td style="height: 20px;"></td></tr> </tbody> </table>	YES	NO												
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2. Building and Land Use Permit Required

YES	NO
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Name of Officer:.....

Signature:

Date:

PART C – To Chief Health Inspector

Please accept payment of trade fee in respect of the above exempt development:

Economic Activity:

Cluster:

INDUSTRIAL	COMMERCIAL	SERVICES	SUI GENERIS
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Name of Officer:

Signature:

Date:

Documents submitted:	YES	NO
ID Card:		
Owner's Consent:		
ID Card of Owner:		
Business Registration Card		

